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Human rights questions: report of the United Nations High Commissioner for Human Rights

Letter dated 11 May 2004 from the Permanent Representative of the Sudan to the United Nations addressed to the Secretary-General

Upon instructions from my Government I would like to bring to your kind attention a matter of grave concern to my Government.

On Friday 7 May 2004, and following the briefing in the Security Council by Bertrand Ramcharand, Acting High Commissioner for Human Rights, on the situation in Darfur, Mr. Ramcharand made statements to the press. Responding to a question, whether he condemns the Government of the Sudan [on the situation in Darfur], Mr. Ramcharand stated that, and I quote, "Yes, I condemn the Government of the Sudan".

When asked about his comment on the re-election of the Sudan to the Commission on Human Rights, he replied, and I quote, "I think a country that serves in the Commission must have an impeccable record of human rights ..." When he was further asked if the Sudan enjoys that impeccable record, he answered, "Read my report".

My Government is deeply concerned about these statements by the Acting High Commissioner. In this regard, I would like to state the following:

1. It is not customary that the High Commissioner, or the Acting High Commissioner for Human Rights, an international civil servant, "condemns" the Governments of Member States. The mandate of the High Commissioner, as stipulated in General Assembly resolution 48/141, was not intended to serve as a condemnation tool targeting Member States, rather to function within the framework of the Charter of the United Nations;

2. It is further not quite customary that the High Commissioner or the Acting High Commissioner for Human Rights states his/her personal opinion on the merit of electing a Member State to a given body of the United Nations. Needless to say, in such elections, it is only the Member States who decide in an intergovernmental process on the eligibility of any Member State, consistent with the purposes and principles of the Charter of the United Nations and the established

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rules of procedure. Hence, the insinuation by the statement of the Acting High Commissioner was not only quite explicit when he stated: "Read my report", but also unacceptable to my Government;

3. While bringing this serious matter to your kind attention, my Government continues to be gravely concerned about the attitude and the statements expressed by the Acting High Commissioner, in flagrant contravention to the objectivity, neutrality and impartiality commensurate with the conduct of holders of such important United Nations offices, and looks forward to assurances of full compliance by United Nations officials with those principles.

I would highly appreciate it if you would kindly have this letter circulated as a document of the General Assembly under agenda item 117 (e).

(*Signed*) Elfatih **Erwa**
Permanent Representative